

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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ANTHONY MARVIN BOYD,

Plaintiff,

v.

**ORDER**

Civil No. 08-785 (MJD/FLN)

MICHAEL J. ASTRUE,  
Commissioner of Social  
Security

Defendant.

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Fay E. Fishman, Peterson & Fishman, Counsel for Plaintiff.

Lonnie F. Bryan, United States Attorney's Office, Counsel for Defendant.

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This matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Franklin L. Noel [Docket No. 27]. Plaintiff Anthony Marvin Boyd filed an objection to the Report and Recommendation [Docket No. 28]. Pursuant to statute, the Court has conducted a de novo review of the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based upon that review, the Court **ADOPTS** the Report and Recommendation.

Accordingly, based upon the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Plaintiff's Motion for Summary Judgment [Docket No. 17] is **DENIED**.
2. Defendant's Motion for Summary Judgment [Docket No. 22] is **GRANTED**.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Date: June 1, 2009

s/ Michael J. Davis

Michael J. Davis

Chief Judge

United States District Court